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FOLEY AND LARDNER LLP
Suite 500
3000 K Street NW
Washington DC 20007

In re Application of
ROMMENS *et al*
U.S. Application No.: 10/561,785
PCT No.: PCT/US2004/017424
Int. Filing Date: 25 June 2004
Priority Date: 27 June 2004
Attorney Docket No.: 058951-0238
For: PRECISE BREEDING

DECISION

This decision is in response to the renewed petition filed 16 September 2008.

BACKGROUND

On 19 August 2008, a decision dismissing applicants' petition under 37 CFR 1.182 was mailed. Applicants were given two months to respond with extensions of time available pursuant to 37 CFR 1.136(a).

On 16 September 2008, applicants filed a renewed petition under 37 CFR 1.182.

DISCUSSION

In the renewed petition, applicants indicate that it was their intention to file the subject application as the national stage of PCT/US2004/017424 "as evidenced by the Form PCT/IB304 also included with the application documents on December 21, 2005." Applicants also state that the priority date should be "June 27, 2004" not "February 20, 2002." Moreover, the correct international application number should be PCT/US2004/017424.

Applicants renewed petition has clarified the proper international application number and priority number. A review of original filing show that among the papers filed included a Form PCT/IB/304, a Form PCT/ISA/210 for PCT/US2004/017424, and the first page of the Information Disclosure Statement Under 37 CFR 1.56 listed the international application No. as PCT/US2004/017424. Applicants' statements in the renewed petition also indicate that the papers filed 21 December 2005 were intended as the national stage of PCT/US2004/017424.

As such, applicants have addressed the concerns noted in the decision mailed 19 August 2008.

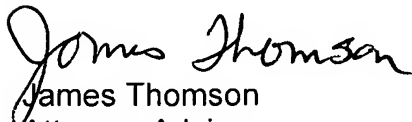
10/561,785

CONCLUSION

For the reasons discussed above, applicants' renewed petition under 37 CFR 1.182 is hereby **GRANTED**.

USPTO records reflect that the above-captioned application is the national stage of PCT/US2004/017424 claiming priority to U.S. application No. 10/607,538 filed 27 June 2003.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for further processing.



James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302